

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

KURT ANGELONE,  
Plaintiff,  
v.  
MICHAEL FURST, *et al*,  
Defendants.

Case No. C07-5538RJB-KLS

**ORDER GRANTING  
PLAINTIFF'S MOTION FOR  
EXTENSION OF TIME**

This matter has been referred to Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1), Local Rules MJR 3 and 4, and Rule 72 of the Federal Rules of Civil Procedure. The case is before the Court on plaintiff's filing of a motion for an extension of time to file a response to defendants' motion for summary judgment. (Dkt. #105). After reviewing plaintiff's motion and the balance of the record, the Court finds and orders as follows:

On September 19, 2008, the undersigned issued a report and recommendation, recommending that the motion for summary judgment filed by defendant Michael Furst (Dkt. #84) be granted. (Dkt. #101). The report and recommendation was noted for consideration on October 17, 2008. *Id.* On September 29, 2008, plaintiff filed a motion for an extension of time to file objections to that report and recommendation (Dkt. #102), which the Court granted on October 7, 2008 (Dkt. #104).

On September 30, 2008, the other defendants who are named in this action filed their own motion for summary judgment, noting it for consideration on October 31, 2008. (Dkt. #103). On October 7,

1 2008, plaintiff filed another motion for an extension of time, requesting an extension of time both again to  
2 file objections to the above report and recommendation, and to submit a response to the motion for  
3 summary judgment filed on September 30, 2008. (Dkt. #105). On October 9, 2008, the Court denied as  
4 being moot plaintiff's request regarding the filing of objections, and remanded to the undersigned for  
5 consideration his request pertaining to the summary judgment motion. (Dkt. #108).

6 The undersigned now considers plaintiff's latter request. In his motion, plaintiff requests that he  
7 be given until November 17, 2008, in which to file a response to defendants' motion for summary  
8 judgment. (Dkt. #105). Plaintiff states he needs this additional time to properly prepare his response,  
9 because he is in the process of being transferred and already has had most, if not all, of his legal property  
10 taken from him for shipment to his new facility. Defendants have not filed any objections to plaintiff's  
11 request. The undersigned further finds that request to be not unreasonable here.

12 Accordingly, plaintiff's motion for an extension of time (Dkt. #105) to file a response to  
13 defendants' motion for summary judgment (Dkt. #103) hereby is GRANTED. Plaintiff shall file his  
14 response by **no later than November 17, 2008**. Defendants shall file their reply thereto, if any, by **no**  
15 **later than November 20, 2008**. As such, the Clerk shall re-note defendants' motion for summary  
16 judgment (Dkt. #103) for consideration on **November 21, 2008**.

17 The Clerk is directed to send a copy of this Order to plaintiff and counsel for defendants.

18 DATED this 28th day of October, 2008.

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22 Karen L. Strombom  
23 United States Magistrate Judge  
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